

**CITY OF ANNISTON
OCTOBER 27, 2014
5:30 P.M.**

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
- **STAFF ADDITIONS/DELETIONS TO THE AGENDA**
- **ADOPTION OF AGENDA**
- I. RECOGNITIONS**
- II. RECEIVE INFORMAL PUBLIC COMMENTS**

Informal Public Comment – Speaker Protocol

The City of Anniston believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. This opportunity to address City Council may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Anniston, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agenda matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

III. RECEIVE FORMAL PUBLIC COMMENT

Formal Public Comment – City Council Agenda Protocol

The City of Anniston has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Anniston requires that individuals who desire to formally address City Council to submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on an upcoming meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal **“REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA”** form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the second and fourth Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or email and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager or from the City’s website www.anniston.al.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred, at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised that the mere completion of a request form does not entitle the speaker to be added to the agenda.

(a) Board Confirmation:

- i. Lori Brown-James – Public Building Authority
- ii. Anniston Museum Natural History Board appointees
- iii. Longleaf Botanical Gardens Board appointees

IV. CONDUCT PUBLIC HEARING - None

Speaking to a Public Hearing Item

In the interest of time and to ensure the fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record. Speakers addressing City Council on a public hearing item should coordinate comments in order to respect City Council’s time constraints. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

- #### **(a) To hear public comments regarding an ordinance amending Section 43:**
- Permitted Uses, of the City of Anniston Zoning Ordinance to include “Tattoo Parlor” as a conditional permitted use.

- (b) To hear public comments regarding an ordinance amending business license.

V. UNFINISHED BUSINESS – None

VI. CONSENT AGENDA

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution reappointing a member to the Anniston-Calhoun County Library Board.
- (c) Resolution appointing a member to the Public Building Authority.
- (d) Supporting the Sustainable Communities in Appalachia Technical Assistance Program.
- (e) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for TK Enterprises LLC d/b/a TK located in the city limits at 3130 McClellan Boulevard.

VII. ORDINANCES

- (a) Amending Section 43: Permitted Uses, of The City of Anniston Zoning Ordinance to include “Tattoo Parlor” as a conditional permitted use.
- (b) Amending Division 1, Article XI, Chapter 2, Section 2.53.3 and Section 2.53.4 of the Code of Ordinances for the City of Anniston, Alabama regulating Boards, Commissions and Authorities.
- (c) Amending Chapter 13, Article III, Section 13.8, Subsection (1) to eliminate the residential rental-housing unit inspection fees for initial inspections
- (d) Amending Business License Ordinance.

VIII. RESOLUTIONS

- (a) Amending the Schedule of Nominations assigning and designating the positions on each municipal Board, Commission and Authority to specific Ward Councilmembers and to the Office of the Mayor and appointing members to the Anniston Museum of Natural History and Lingleaf Botanical Gardens Board.
- (b) Approving the application for a tax abatement for Project United and further authorizing the Mayor to execute an agreement with same.

**IX. OTHER ADDITIONAL OR FURTHER MATTERS THAT MAY COME BEFORE
COUNCIL**

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

10/13/2014

Anniston, Alabama
October 13, 2014

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, October 13, 2014, at approximately 5:39 o'clock p.m.

Lee McNeil prayed the Invocation.

Lee McNeil led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Reddick made a motion to waive the reading of the minutes of September 22, October 1, and October 6, 2014. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase made a motion to approve the minutes of September 22, October 1 and October 6, 2014. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Reddick made a motion to add a proclamation for Domestic Violence Awareness Month and the evaluation of a bid for a new Fire Station to the agenda and to adopt the agenda as amended. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Mayor Stewart read and presented the following proclamation to Jason Lindell and Misha Whatley:

(Red Ribbon Week)

Council Member Selase read and presented the following proclamation to Talisa Stanford, Second Chance:

(National Domestic Awareness Month)

10/13/2014

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Miller Parnell and his nomination to the Historic Preservation Commission.

Mr. Parnell verified that the information provided by him through his application and this confirmation hearing is true and accurate to the best of his knowledge and he pledged that if appointed he would faithfully, dutifully, and honestly serve the best interests of the City and the Historic Preservation Commission.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for William Golden and his nomination to the Parks, Recreation and Beautification Board.

Mr. Golden verified that the information provided by him through his application and this confirmation hearing is true and accurate to the best of his knowledge and he pledged that if appointed he would faithfully, dutifully, and honestly serve the best interests of the City and the Parks, Recreation and Beautification Board.

Mayor Stewart announced that was the time for the public hearing on the proposed abatement of public nuisances (vehicles) at the following locations: 151 Stewart Street, 800 and 809 Bellwood Drive, 1316 and 1344 Johnston Drive, 1700 Marguerite Avenue, 1904 E. 18th Street, 1618 Pine Avenue, 2007 Cooper Avenue, 2024 Dooley Avenue, 1808 W. 15th Street, 919 W. 21st Street, 2120 Dooley Avenue, 904 W. 19th Street, 1101 W. 19th Street, 1716 McDaniel Avenue, 1125 W. 17th Street, 1605 Brown Avenue, 901 S. Christine Avenue, 417 and 429 “C” Street, 116 South Allen Avenue, 213 S. Christine Avenue, 1509 Danbury Lane, 1909 Stratford Road, 4127 and 4200 Southbury Lane; declared the hearing open and asked if anyone wished to address the Council concerning the proposed abatement of public nuisances (vehicles) at said locations.

A lady addressed the Council concerning the proposed abatement of the public nuisance (vehicles) at 1344 Johnston Drive.

Mr. Winston addressed the Council concerning the proposed abatement of the public nuisance (vehicles) at 116 South Allen Avenue.

Antonio Sullivan addressed the Council concerning the proposed abatement of the public nuisance (vehicles) at 1716 McDaniel Avenue.

Ms. Powell addressed the Council concerning the proposed abatement of the public nuisance (vehicles) at 1509 Danbury Lane.

Mr. Williams addressed the Council concerning the proposed abatement of the public nuisance (vehicles) at 2120 Dooley Avenue.

Mayor Stewart asked if anyone else wished to address the Council concerning the proposed abatement of public nuisances (vehicles) at said locations.

No one else addressed the Council concerning the proposed abatement of public nuisances (vehicles) at said locations.

Mayor Stewart declared the public hearing on the proposed abatement of public nuisances (vehicles) at the following locations: 151 Stewart Street, 800 and 809 Bellwood Drive, 1316 and 1344 Johnston Drive, 1700 Marguerite Avenue, 1904 E. 18th Street, 1618 Pine Avenue, 2007 Cooper Avenue, 2024 Dooley Avenue, 1808 W. 15th Street, 919 W. 21st Street, 2120 Dooley Avenue, 904 W. 19th Street, 1101 W. 19th Street, 1716 McDaniel Avenue, 1125 W. 17th Street, 1605 Brown Avenue, 901 S. Christine Avenue, 417 and 429 “C” Street, 116 South Allen Avenue, 213 S. Christine Avenue, 1509 Danbury Lane, 1909 Stratford Road, 4127 and 4200 Southbury Lane closed.

Council Member Jenkins made a motion to approve the Consent Agenda items:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2014-01 Vehicles)
- (c) Resolution of Standards of Conduct and Procurement standards for Implementation of Federal Grant Program.
- (d) Resolution authorizing the City Manager to execute a Management Agreement with “The Farley L. Berman Foundation, Inc.,” a private foundation for the operations of The Berman Museum.
- (e) Resolution reappointing a member to the Parks, Recreation and Beautification Board.
- (f) Resolution reappointing a member to the Historic Preservation Commission.

The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 14-O-23. The motion was seconded by Council Member Harris.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 14-O-23.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 14-O-23.

On call of the roll on Council Member Selase’s motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 14-O-23 and Council Member Harris’ second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 14-O-23, Council Member Selase introduced and read by title Ordinance Number 14-O-23 as follows:

(14-O-23, changing speed limit on a portion of Parkwin Avenue)

Council Member Reddick made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 14-O-23 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 14-O-23 as introduced and read by title, Council Member Reddick made a motion for the passage and adoption of Ordinance Number 14-O-23 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 14-O-23 was passed and adopted.

Council Member Harris made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 14-O-24. The motion was seconded by Council Member Selase.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 14-O-24.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 14-O-24.

On call of the roll on Council Member Harris' motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 14-O-24 and Council Member Selase's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 14-O-24, Council Member Harris introduced and read by title Ordinance Number 14-O-24 as follows:

(14-O-24, no parking zone on a portion of Charlotte Avenue)

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 14-O-24 as introduced and read by title. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 14-O-24 as introduced and read by title, Council Member Reddick made a motion for the passage and adoption of Ordinance Number 14-O-24 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase,

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Harris and Stewart; nays: none. The motion carried and Ordinance Number 14-O-24 was passed and adopted.

Council Member Selase made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 14-O-25. The motion was seconded by Council Member Reddick.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 14-O-25.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 14-O-25.

On call of the roll on Council Member Selase's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 14-O-25 and Council Member Reddick's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 14-O-25, Council Member Selase introduced and read by title Ordinance Number 14-O-25 as follows:

(14-O-25, 4-way stop at Diana Hills Road)

Council Member Reddick made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 14-O-25 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 14-O-25 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 14-O-25 as introduced and read by title. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 14-O-25 was passed and adopted.

Council Member Reddick made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 14-O-26. The motion was seconded by Council Member Harris.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 14-O-26.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 14-O-26.

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On call of the roll on Council Member Reddick's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 14-O-26 and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 14-O-26, Council Member Reddick introduced and read by title Ordinance Number 14-O-26 as follows:

(14-O-26, removing two way stop sign at Patch Place and Crickett Lane)

Council Member Reddick made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 14-O-26 as introduced and read by title. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 14-O-26 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 14-O-26 as introduced and read by title. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 14-O-26 was passed and adopted.

Council Member Reddick made a motion for the unanimous consent of the Council to introduce and read by title Resolution Number 14-R-351. The motion was seconded by Council Member Selase.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 14-R-351.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 14-R-351.

On call of the roll on Council Member Reddick's motion for the unanimous consent of the Council to introduce and read by title Resolution Number 14-R-351 and Council Member Selase's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Resolution Number 14-R-351, Council Member Reddick introduced and read by title Resolution Number 14-R-351 as follows:

(14-R-351, vacating a portion of Crawford Avenue)

Council Member Reddick made a motion for the unanimous consent of the Council for the immediate consideration of Resolution Number 14-R-351 as introduced and read by title. The

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motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Resolution Number 14-R-351 as introduced and read by title, Council Member Harris made a motion for the passage and adoption of Resolution Number 14-R-351 as introduced and read by title. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 14-R-351 was passed and adopted.

Alan Atkinson, City Clerk, advised that copies of following Bid Fact Sheet had been given to the Council:

(New Fire Station on Hwy. 21)

Council Member Jenkins stated he would abstain from voting on this bid. He stated he would receive no financial gain from this project but stated that he did have a financial relationship with the architect.

Council Member Harris made a motion that the bid in the total amount of \$1,748,242.00 by Hurst Construction for a new Fire Station be accepted. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Selase, Harris and Stewart; nays: none; abstentions: Council Members Jenkins and Reddick. The motion carried.

Council Member Harris stated that this coming week would mark the end of any unexploded ordnance located at McClellan.

Council Member Selase reminded everyone of the importance of the proclamations for Red Ribbon Week and National Domestic Awareness Month passed that night. He thanked the local bars and restaurants for adjusting to the City's comprehensive smoking ordinance. He stated the City had experienced a \$10,000 increase in yearly sales tax revenue from these establishments since the passage of the ordinance.

Council Member Jenkins thanked Larry May and Robert Jackson for putting on an outstanding concert recently. He stated he would like for the Council to look at the smoking ordinance in respect to cigar bars.

Mayor Stewart stated that the Police Citizen Advisory Council had their first meeting last week and it had been very productive. He stated they had an excellent zoning workshop for citizens last week.

There being no further business to come before the meeting at that time Council Member Selase made a motion the meeting be adjourned. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members

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Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 6:29 o'clock p.m.

CONSENT AGENDA

RESOLUTION NO. 14-R-__

**A RESOLUTION AUTHORIZING REIMBURSEMENTS TO CITY OFFICIALS FOR EXPENSES
INCURRED WHILE TRAVELING AWAY FROM THE CITY**

BE IT RESOLVED, by the City Council of the City of Anniston, Alabama, that reimbursement is made by the City of Anniston, Alabama, as follows:

- a.** \$109.20 to James Green, Public Works, while attending Alabama Association of Floodplain Managers 2014 Fall Conference in Auburn, AL October 14 – 16, 2014.
- b.** \$333.00 to Ann Welch, Planning Commission Member, while attending UNA Continuing Education Courses in Florence, AL June 10 – 12, 2014.

PASSED AND ADOPTED this ____ day of _____, 2014

**CITY COUNCIL OF THE CITY
OF ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Mille Harris, Council Member

ATTEST:

Alan B. Atkinson, City

RESOLUTION NO. 14-R-____

**A RESOLUTION REAPPOINTING A MEMBER(S) TO THE ANNISTON-CALHOUN
COUNTY LIBRARY BOARD**

BE IT RESOLVED, by the City Council of the City of Anniston, Alabama as follows:

Section 1. That Wanda Hall be and she hereby is reappointed to the Anniston-Calhoun County Library Board for a term to expire on October 31, 2017.

Section 2. That Alan B. Atkinson, City Clerk, shall cause a copy of this Resolution to be mailed to the above named appointee and to said board.

PASSED AND ADOPTED on this the _____ day of _____, 2014.

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTION NUMBER 14-R-____

**A RESOLUTION APPOINTING A MEMBER TO THE ANNISTON PUBLIC
BUILDING AUTHORITY**

BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1. That Lori Brown-James, be and she is hereby appointed as a member of the City of Anniston Public Building Authority for a term ending May 31, 2020.

Section 2. That a copy of this resolution be mailed to the above named appointee and to the Chairman of the Public Building Authority.

PASSED AND ADOPTED this the _____ day of October 2014.

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTION NO. 14-R-__

**A RESOLUTION SUPPORTING THE SUSTAINABLE COMMUNITIES IN APPALACHIA
TECHNICAL ASSISTANCE PROGRAM**

WHEREAS; Sustainable Communities in Appalachia is a community technical assistance program supported by the US Environmental Protection Agency (EPA), the Appalachian Regional Commission (ARC), and the US Department of Agriculture-Rural Development (USDA-RD). The program helps rural Appalachian towns identify actions that will improve livability and support the local economy. The assistance includes a two-day workshop that brings together federal agencies, state government, and local organizations to come up with a feasible action plan that will help the community achieve its goals related to livability; and

WHEREAS; the City of Anniston was one of four communities selected to participate in this program in 2014 recognizing the city is looking to improve public health and grow the local economy by supporting the production and marketing of local foods and nutritional education; and

WHEREAS; the City of Anniston will receive \$20,000 to implement identified and prioritized projects for the enhancement of existing food gardens at Cane Creek and Interfaith and to further support the sustainability of the Downtown Farmer's Market, all as a result of the community based two-day planning process led by the EPA, ARC and the USDA and community participation; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Anniston, Alabama hereby supports and recommends the projects identified and outlined on the Livable Communities in Appalachia, Implementation Support Priorities.

PASSED AND ADOPTED this the ____ day of _____ 2014.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk



CITY OF ANNISTON

FINANCE DEPARTMENT FACT SHEET

TO: CITY COUNCIL AND CITY MANAGER
FROM: MARY MOTLEY, REVENUE COMPLIANCE SPECIALIST
SUBJECT: TKENTERPRISES LLC D/B/A TK
DATE: 10/21/2014
CC:

- Formal action is required for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application.
- The business is located in the city limits at 3130 McClellan Blvd.
- The Police Department reports no local criminal history that would prevent the approval of such license.

**ANNISTON CODE
CHAPTER THREE
ALCOHOLIC BEVERAGES
(Beer and Wine)**

Sec. 3.14. Factors to be considered in council's decisions.

In rendering a decision on each application, the city council shall consider, among others, the following factors:

- a) Character and reputation of the applicant, each partner, member, officer, member of board of directors and landlord.
- b) The criminal court records of the applicant, each partner, member, officer, member of board of directors and landlord.
- c) Location of premises for which the license is sought.
- d) The compliance by applicant, each partner, member, officer, member of the board of directors and landlord with the laws of the State of Alabama and ordinances of the city.

Sec. 3.15. Approval or disapproval of application.

No application for a beer or wine license shall be approved unless the city council is satisfied that the statements in the application are true, that the applicant is a person of good repute, and that the applicant has complied with all terms and provisions of this article.

ORDINANCES

ORDINANCE NUMBER 14-O-__

**AN ORDINANCE AMENDING SECTION 43: PERMITTED USES,
OF THE CITY OF ANNISTON ZONING ORDINANCE TO INCLUDE
“TATTOO PARLOR” AS A CONDITIONAL PERMITTED USE**

BE IT ORDAINED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The Zoning Ordinance (81-0-40) of the City of Anniston, Alabama, Section 43: Permitted Uses, Office, to include “Tattoo Parlor” as a conditional permitted use within the Central Business District.

Section 2. All other provisions of Section 43 of Zoning Ordinance Number 81-0-40 not in conflict herewith shall remain in full force and effect, and all other provisions of said Zoning Ordinance in conflict herewith are expressly repealed.

Section 3. This Ordinance shall become effective immediately upon its adoption and publication one time in the Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama and the City Clerk is hereby ordered and directed to cause a copy of this resolution to be published one time in said newspaper.

PASSED AND ADOPTED this the _____ day of _____, 2014.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart, II, Mayor

BY: _____
Jay Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

ORDINANCE NO. 14-O-__

AN ORDINANCE TO AMEND DIVISION 1, ARTICLE XI, CHAPTER 2, SECTION 2.53.3 AND SECTION 2.53.4 OF THE CODE OF ORDINANCES FOR THE CITY OF ANNISTON, ALABAMA REGULATING BOARDS, COMMISSIONS AND AUTHORITIES

WHEREAS, the Council for the City of Anniston, Alabama finds that the City's ordinance governing the Council's nomination and appointment of persons to positions on the City's boards, commissions and authorities is due to be amended to provide the Council the discretion to waive the requirement that notice of any vacancies or scheduled appointments be provided no less than one month prior to the date when any nomination or appointment can be made;

WHEREAS, the Council further finds that said ordinance is due to be amended to provide the Council the discretion to waive the requirement that a nominee attend a confirmation hearing before the Council during an open meeting before the nominee is eligible for appointment to a board, commission or authority;

WHEREAS, the Council finds that these amendments are necessary for the Council to have flexibility in its process for making appointments to the City's boards, commissions and authorities, when appropriate, such as the nomination and appointment of persons to newly formed boards, commissions and authorities, time sensitive nominations and appointments, and when the nominee is unable to attend a confirmation hearing and circumstances warrant proceeding with the person's nomination and appointment.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The City Council for the City of Anniston, Alabama hereby amends and restates Division 1, Article XI, Chapter 2, Section 2.53.3 and Section 2.53.4 of the Code of Ordinances, which shall be and are hereby amended to read in their entirety as follows:

SECTION 2.53.3 Application required.

(a) **Notice.** The City Council shall provide notice of any vacancies or scheduled appointments to be made to a position on a board, commission or authority to the public during an open meeting no less than one month prior to the date when any nominations can be made. The Council may, in its discretion, waive the requirement of providing notice no less than one month prior to making a nomination.

(b) **Application.** Residents of the City who desire to be considered for appointment shall complete and submit a standardized application in the form and manner provided by the City. Applications for appointment shall be made available to all persons who request an application. No application may be accepted without

the applicant's signed attestation and verification of the truth and accuracy of the information contained in his or her application.

SECTION 2.53.4 Confirmation of nominees.

(a) **Confirmation Hearings.** A nominee for appointment by the City Council to a board, commission or authority shall appear before the Council for a confirmation hearing during an open meeting before the nominee is eligible to be appointed to the position for which he or she has been nominated. The Council may, in its discretion, waive the requirement that a nominee attend a confirmation hearing before being eligible for appointment. During the confirmation hearing, the Council may inquire as to such matters that it deems appropriate to determine the nominee's suitability and qualifications for the appointment, except that no Councilmember may discuss the general reputation and character, physical condition, professional competence or mental health of any nominee during the open meeting, but may only do so during appropriately called executive session in accordance with the governing state laws.

(b) **Verification and Pledge.** Before the conclusion of the confirmation hearing, each nominee shall verify to the Council that the information provided by the nominee, whether through his or her application, the confirmation hearing, or otherwise, is true and accurate to the best of the nominee's knowledge. Each nominee shall also pledge that, if appointed, he or she will faithfully, dutifully, and honestly serve the best interests of the City and the board, commission or authority to which he or she seeks to be appointed.

(c) **Confirmation.** No nominee shall be appointed to any position on any board, commission or authority of the City of Anniston unless he or she is confirmed by a majority vote of the Council.

2. Effective Date. This Ordinance shall become immediately effective after its adoption and its publication one (1) time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama. The City Clerk is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED and ADOPTED this ____ day of _____, 2014.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

ORDINANCE NO. 14-O-__

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE III, SECTION 13.8, SUBSECTION (1) TO ELIMINATE THE RESIDENTIAL RENTAL-HOUSING UNIT INSPECTION FEES FOR INITIAL INSPECTIONS

WHEREAS, the Council of the City of Anniston ("Council") finds that Chapter 13, Article III, Section 13.8 imposes fees for inspections by the city's housing official of vacant residential rental-housing units prior to occupancy by a new tenant in order to ensure the unit's compliance with the city's adopted property maintenance codes before a certificate of occupancy may be issued;

WHEREAS, the Council finds that Section 13.8, Subsection (1) is due to be amended to eliminate the residential rental-housing unit inspection fee for initial inspections conducted by the city's housing official;

WHEREAS, the Council finds that the amendment set forth in this ordinance will further the policy of the Council, as implemented by Chapter 13, Article III, to maintain and improve the quality and appearance of rental housing in the city and to protect the health and safety of persons residing in the rental-housing units within the city;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The City Council of the City of Anniston, Alabama hereby amends and restates Chapter 13, Article III, Section 13.8, Subsection (1) of "The Code of the City of Anniston, Alabama, 1981" in its entirety to read as follows:

Sec. 13.8. Inspection fees.

Owners of residential rental-housing units are responsible for notifying the housing official that a vacancy has occurred and scheduling the required inspection.

- (1) The city shall not charge a fee for the initial inspection. The city shall charge a fee in the amount of fifty dollars (\$50.00) for the first follow-up inspection, if necessary. Additional follow-up inspections shall cost fifteen dollars (\$15.00) each. Payment for a follow-up inspection is due at the time the inspection is scheduled with the building inspections division. No follow-up inspection will be scheduled until payment has been received.

Section 2. This ordinance shall become effective immediately upon its adoption and publication one (1) time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and the City Clerk is hereby ordered and directed to cause a copy of this ordinance to be published one time in said newspaper.

PASSED and ADOPTED on this ____ day of October, 2014

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTIONS

RESOLUTION NUMBER 14-R-_____

**A RESOLUTION AMENDING THE SCHEDULE OF NOMINATIONS ASSIGNING
AND DESIGNATING THE POSITIONS ON EACH MUNICIPAL BOARD,
COMMISSION AND AUTHORITY TO SPECIFIC WARD COUNCILMEMBERS AND
TO THE OFFICE OF THE MAYOR AND APPOINTING MEMBERS TO THE
ANNISTON MUSEUM OF NATURAL HISTORY AND LONGLEAF BOTANICAL
GARDENS BOARD**

WHEREAS, the Council has adopted Ordinance No. 14-O-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted Ordinance No. 14-O-22 establishing the Anniston Museum of Natural History Board and the Longleaf Botanical Gardens Board, and the positions on said boards are due to be assigned among and designated to specific Council Ward Representatives and the Office of the Mayor, as agreed upon and memorialized in the Schedule of Nominations adopted by a Resolution of the Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The City Council of the City of Anniston finds that circumstances warrant the waiver of the requirement set by ordinance that notice of any vacancies or scheduled appointments shall be provided to the public during an open meeting no less than one month prior to the date when any nominations can be made, including, but not limited to, the recent reorganization of the museum complex board structure, the recent formation of Anniston Museum of Natural History Board and the Longleaf Botanical Gardens Board, the pressing need to populate said boards, and the need to maintain continuity in the membership of said boards. The Council does hereby exercise its discretion to waive this requirement with regard to the appointments to the said boards, as set forth in this resolution.

Section 2. The City Council of the City of Anniston finds that circumstances warrant the waiver of the requirement set by ordinance that nominees shall attend a confirmation hearing before the Council in an open meeting before being eligible for nomination and appointment, including, but not limited to, those circumstances stated in Section 1. The Council does hereby exercise its discretion to waive this requirement with regard to the appointments of

to the Anniston Museum of Natural History Board and the Longleaf Botanical Gardens Board, as set forth in this resolution.

Section 3. The City Council of the City of Anniston hereby adopts the Schedule of Nominations for the Anniston Museum of Natural History Board and the Longleaf Botanical Gardens Board attached hereto as Exhibit A so as to assign the positions on said boards to the

City's Council Ward Representatives and the Office of the Mayor and to designate any future nominations to those assigned positions to the respective office holders.

Section 4. The City Council of the City of Anniston does hereby appoint those persons identified in the Schedule of Nominations for the Anniston Museum of Natural History Board and the Longleaf Botanical Gardens Board attached hereto as Exhibit A to the boards and for the terms set forth therein.

Section 5. This resolution shall become effective immediately upon the publication date of Ordinance Number 14-O-_____.

PASSED and **ADOPTED** this _____ day of _____, 2014.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

ANNISTON MUSEUM OF NATURAL HISTORY BOARD

Board Position	Nominator	Board Member Name	Expiration Date
1	Ward 1 (Jenkins)	Bobby Wingo	10/31/2017
2	Ward 2 (Reddick)	Bill Meehan	10/31/2019
3	Ward 3 (Selase)	Robert Houston	10/31/2018
4	Ward 4 (Harris)	Frank Segars	10/31/2019
5	Mayor (Stewart)	Carolyn Orchid	10/31/2017
6	Ward 1 (Jenkins)	Bess Valieant	10/31/2018
7	Ward 2 (Reddick)	Robert Jackson	10/31/2017
8	Ward 3 (Selase)	Evan Jackson	10/31/2018
9	Ward 4 (Harris)	Josephine Ayers	10/31/2019

LONGBLEAF BOTANICAL GARDEN BOARD

Board Position	Nominator	Board Member Name	Expiration Date
1	Ward 1 (Jenkins)	Susan Gibbins	10/31/2017
2	Ward 2 (Reddick)	Anna Washington	10/31/2019
3	Ward 3 (Selase)	Brenda Roberts	10/31/2019
4	Ward 4 (Harris)	Robert Downing	10/31/2018
5	Mayor (Stewart)	Sarah Sloan	10/31/2017
6	Ward 1 (Jenkins)	Patricia Patty	10/31/2018
7	Ward 2 (Reddick)	Julia Segars	10/31/2018
8	Ward 3 (Selase)	Juliette Doster	10/31/2017
9	Ward 4 (Harris)	Arthur Toole	10/31/2019